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FILED  
AT ALBUQUERQUE NM

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JUN 24 1999

DOMENIC M. STRAZZULLA,

ROBERT M. MARCH  
CLERK

Plaintiff,

v.

No. CIV-98-0993 MV/LCS

JOE R. WILLIAMS, WARDEN,  
LT. \_\_\_\_ ESTES,  
LT. \_\_\_\_ SANCHEZ,  
CORRECTIONAL OFFICER MARGARET SMITH,  
LT. JOE GARCIA,  
CLASSIFICATION OFFICER JACK MILLER,  
SEVERAL UNKNOWN NAMED JOHN  
DOES RESPONSE TEAM OFFICERS,  
AND UNKNOWN NAMED JOHN DOE #1 AND #2,  
AND CORRECTIONAL MEDICAL SERVICES, ET AL,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter is before the Court to consider a letter from Plaintiff (Doc. #22) filed May 10, 1999, which is construed herein as a motion for transfer. Plaintiff alleges he has twice been assaulted and injured at his current place of incarceration. While these allegations may support claims for damages or injunctive relief under the Eighth Amendment, the motion does not provide grounds for ordering that Plaintiff be transferred to the state where he was previously incarcerated. *Wall v. Boone*, 76 F.3d 394, 1996 WL 44245, at \*\*2 (10th Cir. 1996) (unpublished table decision); *Prows v. Federal Bureau of Prisons*, 981 F.2d 466, 468 n.3 (10th Cir. 1992); *Frazier v. Dubois*, 922 F.2d 560, 561-62 (10th Cir. 1990); *Meachum v. Fano*, 427 U.S. 215, 225 (1976). The motion will be denied.

IT IS THEREFORE ORDERED that Plaintiff's letter (Doc. #22) filed May 10, 1999, construed herein as a motion for transfer, is DENIED.

  
UNITED STATES DISTRICT JUDGE

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